

IPW

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Linda S. Jernigan Name  Signature	

O I P E SC 18
SEP 27 2004
P A T E N T & T R A D E M A R K O F F I C E

P&G Case 9153R

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of :
 Cimiluca et al. : Confirmation No. 5176
 Serial No. 10/633,970 : Group Art Unit 1623
 Filed August 4, 2003 : Examiner Everett White

For Compositions Comprising A Plurality Of Particles Or Agglomerates Having A Defined
 Particle Size

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made on the attached Form PTO/SB08 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case. As provided in § 1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. § 1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO/SB08 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. § 1.56(b).

1. 37 C.F.R. §1.97(b)(1) - U.S. Direct (use when filing IDS with nonprovisional patent application, or with Request for Continued Examination (RCE); or within 3 months of filing a nonprovisional patent application)

This information disclosure statement, submitted under 37 C.F.R. § 1.97(b)(1), is being filed with the patent application, with a Request for Continued Examination or within three months of the filing date of a national application. Therefore, no fee is believed to be due.

2. **37 C.F.R. §1.97(b)(3) - (use when filing IDS more than 3 months after filing a nonprovisional patent application, but prior to receipt of first Office Action)**

This information disclosure statement is being submitted under 37 C.F.R. §1.97(b)(3). Applicants have not received an Office Action on the merits in the present application. Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter (or a fee transmittal form) is enclosed to facilitate charging of the fee, if necessary.

3. **37 C.F.R. §1.97(b)(4) - (use when filing IDS prior to receipt of first Office Action after the filing of a Request for Continued Examination (RCE) under §1.114)**

This information disclosure statement is being submitted under 37 C.F.R. §1.97(b)(4). Applicants have not received a first Office Action after filing a Request For Continued Examination (RCE). Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter (or a fee transmittal form) is enclosed to facilitate charging of the fee, if necessary.

4. **37 C.F.R. §1.97(c) with fee payment - (use when filing IDS after receipt of first Office Action, and before receipt of Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution)**

This information disclosure statement is being submitted under 37 C.F.R. §1.97(c). Applicant(s) have not received a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application (e.g., *Ex parte Quayle*) as of the date of this submission. Applicant(s) elect to pay the fee set forth in 37 C.F.R. §1.17(p). Please charge the fee set forth in 37 C.F.R. §1.17(p) to Deposit Account Number 16-2480 in the name of The Procter & Gamble Company. A duplicate copy of this letter (or a fee transmittal form) is enclosed to facilitate the charging of the fee.

5. **Information to be Considered with Continued Prosecution Application (CPA) Filing (use when filing IDS with a Continued Prosecution Application (CPA) for Design Case)**. This information disclosure statement is being filed with a Continued Prosecution Application (CPA) filed under 37 C.F.R. 1.53(d).

ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:

(1) (For use with applications filed prior to or on June 30, 2003.) Copies of the cited documents are enclosed.

OR

(2) (For use with applications filed after June 30, 2003.) In accordance with 37 C.F.R. §1.98(a)(2), Applicants are submitting copies of foreign patent documents and non-patent literature.

OR

(3) All of the cited references were previously cited by or submitted to the USPTO in prior application Case No. ____, U.S. Patent Application Serial No. ___, filed ___. Applicants claim priority to said application under 35 U.S.C. §120. Accordingly, copies of previously submitted references are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

OR

(4) Copies of all said documents, except Cite Numbers _____, were submitted and considered in parent application U.S. Patent Application Serial No. _____, filed _____. Applicant(s) claim priority to said application under 35 U.S.C. §120. Accordingly, copies of previously submitted references are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). Copies of references not previously submitted are enclosed. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

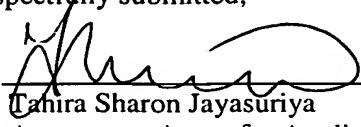
(5) Pursuant to 37 C.F.R. §1.98(c), a concise explanation of the relevance of each cited reference that is not in the English language is provided.

(6) Applicants also respectfully request the Examiner to consider and make of record the co-pending applications listed on the attached page.

Additional information attached is generated from the International Search Report.

Respectfully submitted,

By


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Attorney or Agent for Applicant(s)

Registration No. 50,793

(513) 622-0291

Date: September 23, 2004

Customer No. 27752

(IDS.doc) (Last Revised 05/27/04)

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SEP 27 2004

SUPPL. PTO/SB08A (08-03)

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

COMPLETE IF KNOWN

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

SHEET 1 of 1

COMPLETE IF KNOWN	
Application Number	10/633,970
Confirmation Number	5176
Filing Date	August 4, 2003
First Named Inventor	Cimiluca
Group Art Unit	1623
Examiner Name	Everett White
Attorney Docket Number	9153R

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 37 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.